



**MINUTES OF THE SPECIAL JOINT MEETING OF  
THE CITY COUNCIL/REDEVELOPMENT  
AGENCY OF THE CITY OF HAYWARD, City  
Council Chambers 777 B Street, Hayward, CA 94541  
Tuesday, November 10, 1998, 8:00 p.m.**

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**MEETING**

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor/Chairperson Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Boy Scout Troop 708. Mayor Cooper thanked the three students from Winton School, Russell Whitlock, Ashton Sheets, and Ryan Alexander.

**ROLL CALL**

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,  
Rodriguez, Ward, Dowling, Henson  
MAYOR/CHAIRPERSON Cooper  
Absent: None

**PRESENTATION: Business Recognition Award**

This month's business recognition award went to Bank of the West, located at 1058 B Street. Bank of the West was founded as the Farmers National Gold Bank in San Jose in 1874. Today, Bank of the West has 105 branches in five states with resources of more than \$5 billion dollars. Over the years, Bank of the West has been a leader in a number of banking innovations. The downtown Hayward branch of Bank of the West opened in 1964. In that 34 year period, Bank of the West has shown first hand their dedication to their mission of being "*the premier community bank*". Bank of the West participates in numerous community projects. In particular, the bank took the lead in establishing the "URM Program," a loan pool that has helped property owners with the seismic upgrading of unreinforced masonry buildings in the downtown. From the start, branch manager Kathy Streeter has been a constant supporter of the program. Also, Bank of the West's Executive Vice President Steven Glenn was instrumental in getting the program started by negotiating with four other local banks. The other banks have dropped out of the program and the last loan is in process by Bank of the West alone for funding the seismic work on the Green Shutter Hotel. This award was presented to Bank of the West in recognition of its contribution to the vitality and economic well being of our community, through leading the Unreinforced Masonry Loan Pool Program and supporting many community activities. Branch manager Kathy Streeter accepted the award and thanked the City for supporting the corporate community.

**PUBLIC COMMENTS**

Jeanne Gocker, 24982 Second Street, announced and invited all to participate in the 12<sup>th</sup> Annual Christmas drawing for the Hayward Friends of Animals. Proceeds will be used to support the Grooming Room at the Hayward Animal Shelter.

Leon Williams, 27467 Palmwood Avenue, spoke regarding his six-foot fence on Primrose Lane. He said it is necessary to have a six-foot fence instead of a four-foot fence because of vandals.

Jason Moreno, 25200 Carlos Bee Boulevard, thanked those who voted against Measure HH and spoke in opposition to what will occur as a result.

Bill Maxedon, 395 St. Andrews, spoke regarding Measure HH. He indicated that the promotion of the measure was misleading.

Fernando Escamilla, 1513 Balein Court, spoke regarding the creek flooding near the Spanish Ranch Mobile Home Park. He noted that the County provided dredging and sandbagged the creek. He also appreciated the City's assistance in drain cleaning on the creek. He expressed concern that heavy rains might trigger flooding similar to previous years and asked for help in preparing for it.

City Manager Armas indicated that he will ask the Fire Department personnel to meet with the Association to prepare for possible flooding.

Mike Kessler, 470 Juana Avenue, requested assistance for relief to victims of the hurricane in Nicaragua, Honduras and Guatemala.

Council Member Rodriguez elaborated on the disaster and noted that there is a joint effort with San Leandro to store the kits described by Mr. Kessler. She enumerated the various organizations and media that have programs where residents can assist.

Alison Lewis, 2787 Hillcrest, conducted a drawing on behalf of Project Legacy, which is a community effort to expand the Weekes Branch Library. She thanked all those who have been supportive of the project.

Council Member Dowling expressed appreciation to Finance Director Carter and Budget Administrator Rohrer for their efforts related to the 510 Area Code split. He said he would write a personal letter to the Public Utilities Commission in opposition to the overlay but it would not be necessary for the Council to take up the issue again for any formal decision.

## **CONSENT**

Items 1, 2, and 4 were removed for further discussion. Council Member Rodriguez left the Chambers prior to the vote.

1. Approval of Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of October 27, 1998.

Council Member Dowling changed the wording of his comments on page 5 to read, " In light



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of the staff response that this light does not meet State warrants, he would be supporting the motion."

It was then moved by Council/RA Member Ward, seconded by Council/RA Member Jimenez, and unanimously carried, with Council Member Rodriquez absent, to approve the Minutes of the Special Joint Meeting of the City Council/ Redevelopment Agency of October 27, 1998.

2. Adoption of an Ordinance Related to the Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project

Staff report submitted by City Clerk Reyes, dated November 10, 1998, was filed.

It was moved by Council Member Ward, seconded by Council Member Jimenez, and unanimously carried, with Council Member Rodriquez absent, to adopt the following:

Ordinance 98-16, "An Ordinance Adopting the Fifth Amendment to the Redevelopment Plan for the Downtown Hayward Redevelopment Project"

3. Adoption of an Ordinance Amending Section 10-1.156 of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory at 28191 Hesperian Boulevard Pursuant to Zone Change Application 98-190-05 (Greystone Homes)

Staff report submitted by City Clerk Reyes, dated November 10, 1998, was filed.

Ray Baker, 1500 Spruce Street, Berkeley, expressed concern regarding the acquisition of properties for the Lucky's project. He indicated that extending the time to acquire property in the downtown area through condemnation actions by an additional 10 years is excessive. It should be done in a matter of months and not years. He also proposed that regular meetings be established for information on the progress in acquiring businesses so that the people involved will be getting consistent information.

It was moved by Council Member Ward, seconded by Council Member Hilson, and unanimously carried to adopt the following:

Ordinance 98-15, "An Ordinance Amending Section 10-1.156 of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning Certain Territory at 28191 Hesperian Boulevard

Pursuant to Zone Change Application 98-190-05

4. Request from Council Member Olden Henson for Disbursement in the Amount of \$700 from the Special Travel Fund for City-Related Travel.

Staff report submitted by Council Member Henson, dated November 10, 1998, was filed.

Jason Moreno, 25200 Carlos Bee Boulevard, said he favors compensating Council Members for travel expenses. However, they also have the duty to respond to constituent concerns. He then listed several concerns.

Council Member Henson explained his participation in the National League of Cities Public Safety and Crime Prevention Committee. He said the upcoming meeting in New Orleans is with the Justice Department and will discuss disbursement of funding for the Year 2000 problem as well as domestic terrorism preparedness.

Council Member Jimenez commended Council Member Henson as an asset to the Council.

It was moved by Council Member Ward, seconded by Council Member Jimenez, and unanimously carried, with Council Member Rodriguez absent, to authorize the disbursement in the amount of \$700 from the Special Travel Fund for city-related travel.

Mayor Cooper then explained the change in the process listed on the Agenda, which was established at the City Council retreat. Opportunity for Council Members to ask questions would be provided following the staff report, followed by public input, at which time Council will then comment and act on the motion.

## HEARINGS

5. Appeal of Text Change Application No. 98-140-02 - Jack Van Voast (Applicant) - Text Change Request to Amend Zoning Ordinance to Allow a Mobile Home(s) for an Employee/Attendant's Sleeping Quarters in Conjunction with a Commercial Kennel in the Industrial District (*Continued from 10/20/98*)

Staff report submitted by Development Review Services Administrator Anderly, for November 10, 1998, was filed.

Development Review Services Administrator Anderly made the staff presentation. She explained that there is no provision in the Industrial District for mobile homes. This request is to change the Ordinance to allow the retention of two mobile homes on industrial zoned land. Staff contends that mobile homes in the industrial district does not encourage quality development.



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Mayor Cooper opened the public hearing at 9:05 p.m.

Perry Graham, 71 Sonia Street, Oakland, commended Mr. Van Voast on the care and concern he has shown to his pets.

Jack Van Voast, 4125 Breakwater Avenue, applicant, described the operations of his business and responded to questions from the Council. He stated that he has lived on the premises since opening his business. He noted that three employees presently live in the mobile homes.

The following spoke in favor of Jack Van Voast and the K9K9 facility:

Sara Hitchens, Box 620392, Woodside  
Ruth Sampson, 238 Greenfield Avenue, San Mateo  
Nicole Row, 4125 Breakwater Avenue  
Greg Casorso, 607 Hearst Avenue, Berkeley  
Joie Robinson, 609 La Paloma Road, El Sobrante  
Sharon Miller, 19234 Meadowood Road, Castro Valley  
Richard Getz, 39806 Potrero Drive, Newark  
Brenda Allison, 36789 San Pedro Drive, Fremont  
Debbie Antrim, 20551 Times Avenue  
Roxane Row, 4570 Evenena Court, Fremont  
Marvin Miller, 4 Goodwin Street, Redwood City  
Carol Miller, 4 Goodwin Street, Redwood City  
Kari Mashburn, 3870 Shafter Avenue  
Kristine Hueter, 701 Glencove Lane, Oakland  
Mardy Prosin, 938 Aruba Lane, Foster City  
Linda Locke, 18458 Dominic Lane, Castro Valley  
Kathryn Jackson, 880 Poinciana Street  
Geri Garami, 36107 Pizarro Drive, Fremont  
Jennifer Voigt, 25104 Vista Greens Court  
Kelly Cushner, 10 Edgardo Place, San Francisco  
Mick Galvin, 27025 Fielding Drive  
Annette Thelis, Hayward resident  
Douglas Morse, 25291 Morse Court  
Ron and Pam Levy, 35 Homeplace, Hillsborough, submitted speakers' cards, but did not speak.

Mayor Cooper closed the public hearing at 10:19 p.m.

Council Members asked questions of Animal Control Manager Armes. He explained that there is no maximum cap on the number of animals to be boarded at the kennel. He said the Animal

Control have received seventeen complaints since 1993 through September 1998. He added that there has never been an issue of Mr. Van Voast not providing information regarding a complaint.

Council Member Rodriquez said that if this applicant were allowed to place mobile homes on his property, other applications would have to be considered. She indicated that Mr. Van Voast does have other options.

Council Member Hilson moved to approve the negative declaration and uphold the Planning Commission decision to deny the amendment to the zoning ordinance, Mayor Cooper seconded the motion.

Council Member Hilson said there is potential for other businesses to request the same consideration in order to support their own situations. He added that the Council is not denying living quarters on the premises, rather restricting it to within the main facility as it is with other Industrial District properties. It is important to recognize that land use policies shape development consistent with the desired City character. The use of mobile homes as living quarters for the Industrial area is not desirable, particularly at the entryways to the City.

Mayor Cooper indicated that she also would support the motion. The two trailers have only been on the property for a few years and are illegally placed. She said Council would not be denying Mr. Van Voast the use of the land for a kennel. Rather, they would be saying that the two mobile homes are not appropriate to the area.

Council Member Dowling indicated that he had planned to support the staff position on this issue. However, he said he was impressed with the number of people from the Bay Area who advocated support for the kennel. He would support a proposed text change limiting it to kennels only.

It was moved by Council Member Hilson, seconded by Mayor Cooper, and carried to approve the negative declaration and adopt a resolution with the following roll call vote:

Resolution 98-185, "Resolution Denying Text Change Application  
No. 98-140-02 of Jack Van Voast"

AYES: Council Members Jimenez, Hilson, Rodriquez,  
Ward,  
Mayor Cooper  
NOES: Council Members Dowling, Henson  
ABSENT: None  
ABSTAINED: None

## LEGISLATIVE BUSINESS



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**6. Approval of Installation of Traffic Signal (Full Signalization) at Hesperian Boulevard and Aldengate Way**

Staff report submitted by Deputy Director of Public Works Bauman, dated November 10, 1998, was filed.

Deputy Director of Public Works Bauman made the presentation and introduced staff from TKJM Transportation Consultants, who provided a computer simulation. Consultant Gary Kruger described the software and model simulation which replicates how traffic flows at the intersection with and without a traffic signal.

Mayor Cooper opened the public hearing at 11:10 p.m.

Amy Nelson Smith, 26925 Creole Place, Glen Eden Neighborhood Task Force, expressed the concerns of the Task Force. She said the new shopping center has helped to revitalize the neighborhood but the stop signal is necessary. She said the signal at Aldengate would make the area safer.

Sudershan Kohli, 4615 Kingswood Drive, Danville, service station owner at Aldengate and Hesperian, said he would support the proposal for a full signal for the corner.

Edward Bogue, 729 Poinciana, South Gate Neighborhood Task Force, said the Task Force is opposed to the signal and traffic flow would be impeded. He said that if the consultant is correct, the traffic will not be damaging, and that concern is no longer valid. Other concerns were for the commercial business at the center and what would be appropriate to the businesses.

Mayor Cooper closed the public hearing at 11:18 p.m.

Council Member Hilson commended TJKM for their presentation at the public meeting. People had many of their questions answered. He moved the item, seconded by Council Member Rodriquez.

Council Member Hilson said he also attended the public meeting. In the interest of safety and as a Southgate resident opposed to the traffic signal for years, he said he would support the signal based on the information presented.

Council Member Dowling said he has been an opponent of this signal for several years. His main concern has been with the level of traffic flow and synchronization is difficult. He congratulated staff for their skillful grant writing and not using City funds. He also suggested a follow-up on the delays and accidents at the intersection after one-year.

Council Member Ward said he would be supporting the motion. He was impressed with the staff presentation.

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and carried by the following roll call vote to approve the following:

Resolution 98-186, "Resolution Approving the Installation of a Traffic Signal at Hesperian Boulevard and Aldengate Way"

AYES:	Council Members Jimenez, Hilson, Rodriquez, Ward, Henson Mayor Cooper
NOES:	Council Member Dowling
ABSENT:	None

#### **COUNCIL REPORTS**

Council Member Dowling reported on a Local Government Commission Conference on Neighborhood Services, which he attended in September. He described a program developed in Seattle called the Neighborhood Matching Fund in which the City has set aside funds for grants to neighborhood self-help projects. He said he hoped Council would be able to discuss this at a later date.

#### **ADJOURNMENT**

Mayor Cooper adjourned at 11:30 p.m.

APPROVED:

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Roberta Cooper, Mayor, City of Hayward

ATTEST:

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Angelina Reyes, City Clerk, City of Hayward